IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 23507 of 2003

Between:

Hyderabad Metropolitan Water Supply & Sewerage Board

Rep. by its Managing Director, Sri M.G.. Gopal,
S/o Dr. M.B.I. Sharma, aged 46 yrs, Occ; Govt. Service,

R/o C/o HMWSS & Board,
Khairatabad, Hyderabad - 500 004.

..... PETITIONER

AND

1 Sri D. Lakshminarayana
R/o Khanapur Village, Rajendranagar Mandal, Ranga Reddy

District
2 Sri Balla Ravinder,
R/o Kokapeta Village, Rajendrangar Mandal, R.R. District
3 Sri S. Mallesh
R/o Khanapur Village, Rajendrangar Mandal, R.R. District
4 Sri Nagesh
R/o Khanapur Village, Rajendrangar Mandal, R.R. District
5 Sri S. Laxmaiah
R/o Khanapur Village, Rajendrangar Mandal, R.R. District

(The other respondents in OA are not necessary)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Certiorari or any other appropriate Writ, order or Direction calling for the records in and connected with the:- Orders dated 10-7-2003 passed in O.A. No. 4478 of 2003 by the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad, and Quash the order dated 10-7-2003 passed in O.A.No. 4478 of 2003 by the Hon'ble A.P. Administrative Tribunal, Hyderabad, as the same is illegal, Arbitrary and violative of Article 14, and 21 of the Constitution of India and contrary to principles of Natural Justice.

Counsel for the Petitioner:MS.M.VENKATESWARI

Counsel for the Respondents.: Mr.M.Prabhakara Rao.

The Court made the following :

O R D E R:

The writ petition is filed by the Hyderabad Metropolitan Water Supply & Sewerage Board, assailing the order passed by the A.P Administrative Tribunal, Hyderabad in O.A.No.4478 of 2003, dated 10-7-2003.

2. The respondents are the applicants before the Tribunal and they filed the said O.A to declare the action of the respondents in not reappointing the petitioner as NMR Gardener. The said O.A was disposed of with the following directions:-

> *"In the facts and circumstances of the case, it is found expedient to dispose of the OA at the admission stage directing the Respondents to examine the request of the applicants made through their representation dated 7.6.2002 and pass appropriate orders strictly as per Rules and instructions in the matter including the award of the Labour Court dated 16.7.1994 in ID.No.642 of 1993 and the principle of 'last-come-first-go'. This exercise shall be completed within three months from the date of receipt of copy of this order. OA is disposed of accordingly."*

3. Assailing the said directions, the present writ petition has been filed by the Board.

4. The learned counsel for the petitioner produced an order passed by the Board in Proceedings No.27/E/93, dated 09-07-2004, rejecting the case of the petitioners, in compliance of the orders passed by the Tribunal.

5. In view of the above, the writ petition is closed, leaving it open to the respondents

to challenge the consequential order, if they so choose. No order as to costs.

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G.Bikshapathy, J

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P.S.Narayana, J

2nd March 2005.

mrb

To

1. The Managing Director, Hyderabad Metropolitan Water

Supply & Sewerage Board, Sri M.G.. Gopal,

S/o Dr. M.B.I. Sharma, aged 46 years, Occ; Govt. Service,

R/o C/o HMWSS & Board,

Khairatabad, Hyderabad - 500 004.

2. Two CD copies.